DOCUMENT RESUME

ED 285 810 SO 018 343

AUTHOR Waterson, Margaret
TITLE A Manual for Title IX Coordinators: Sex Equity in New York State Schools.
INSTITUTION New York State Education Dept., Albany. Div. of Civil Rights and Intercultural Relations.
PUB DATE 87
NOTE 48p.
PUB TYPE Legal/Legislative/Regulatory Materials (090) -- Guides - Non-Classroom Use (055)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Access to Education; Civil Rights; *Civil Rights Legislation; *Compliance (Legal); Educational Discrimination; *Educational Opportunities; Elementary Secondary Education; *Equal Education; Equal Protection; Females; *Sex Fairness
IDENTIFIERS *New York; *Title IX Education Amendments 1972

ABSTRACT

Recognizing the importance of compliance with Title IX, this manual provides an implementation guide for all members of the school community. The manual is organized into 16 topics including: (1) summarization of the Title IX legislation; (2) Title IX's importance to sound educational policy; (3) explanation of who is responsible for compliance; (4) the legislative requirement of a Title IX coordinator; (5) information for developing a district model to ensure compliance; (6) guidelines for establishing the position of Title IX coordinator; (7) competencies needed by individual filling that position; (8) a checklist for coordinators to ensure an ongoing program; (9) summarization of regulations; (10) evaluation procedure for assessing compliance; (11) a model for the Title IX grievance procedure; (12) methods for achieving sex equity in vocational education; (13) consideration of related issues such as unbiased instructional materials; (14) summarization of other federal anti-discrimination laws pertaining to schools; (15) a listing of national, state, and local agencies to consult for advice on implementation; and (16) recommended resources on Title IX and sex equity. Appendices include guidelines for notification of vocational education opportunities; a form for self-evaluation on Title IX compliance; and a sample notification of Title IX grievance procedures. (SM)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED285810

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Robert M. Trombly

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

A MANUAL FOR TITLE IX COORDINATORS

Sex Equity in New York State Schools

The University of the State of New York
The State Education Department
Office of Nonpublic Schools, Civil Rights and Intercultural Relations
Division of Civil Rights and Intercultural Relations
Occupational Education Civil Rights Coordinating Unit

BEST COPY AVAILABLE

SO018343

A MANUAL FOR TITLE IX COORDINATORS

Sex Equity in New York State Schools

The State Education Department does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, or sex in the educational programs and activities which it operates. Inquiries concerning this policy of equal opportunity and affirmative action should be referred to the Department's Affirmative Action Officer, Education Building, Albany, NY 12234. Phone (518) 473-1265.

The University of the State of New York
The State Education Department
Occupational Education Civil Rights Coordinating Unit
Albany, New York 12234
1987

THE UNIVERSITY OF THE STATE OF NEW YORK

Regents of The University (with years when terms expire)

1994	Martin C. Barell, Chancellor, B.A., I.A., LL.B., LL.D.	Muttontown
1994	R. Carlos Carballada, Vice Chancellor, B.S., L.H.D., D.Sc.	Rochester
1988	Willard A. Genrich, LL.B., L.H.D., LL.D., Litt.D., D.C.S., D.C.L., Sc.D.	Buffalo
1989	Emlyn I. Griffith, A.B., J.D., L.H.D., Sc.D., LL.D.	Rome
1991	Jorge L. Batista, B.A., J.D., LL.D.	Bronx
1993	Laura Bradley Chodos, B.A., M.A.	Vischer Ferry
1991	Louise P. Matteoni, B.A., M.A., Ph.D.	Bayside
1988	J. Edward Meyer, B.A., LL.B., L.H.D.	Chappaqua
1988	Floyd S. Linton, A.B., M.A., M.P.A., D.C.L., LL.D.	Miller Place
1988	Salvatore J. Sclafani, B.S., M.D.	Staten Island
1989	Mimi Levin Lieber, B.A., M.A.	Manhattan
1992	Shirley C. Brown, B.A., M.A., Ph.D.	Albany
1990	Norma Gluck, B.A., M.S.W., LL.D., L.H.D.	Manhattan
1990	Thomas R. Frey, A.B., LL.B.	Rochester
1990	James W. McCabe, Sr., A.B., M.A.	Johnson City
1993	Adelaide L. Sanford, B.A., M.A., P.D.	Hollis

President of The University and Commissioner of Education
Gordon M. Ambach

Executive Deputy Commissioner of Education
Robert J. Maurer

Deputy Commissioner for Elementary, Secondary and Continuing Education
Gerald L. Freeborne

Assistant Commissioner for Nonpublic Schools, Civil Rights and Intercultural Relations
Joan Bourgeois

Administrator, Division of Civil Rights and Intercultural Relations
Sterling S. Keyes

Program Manager, Occupational Education Civil Rights Coordinating Unit
Karl S. Wittman

FOREWORD

This manual is dedicated to the hundreds of New York State educators who are responsible for implementing Title IX in their school districts and Boards of Cooperative Educational Services.

For newly-appointed coordinators, this manual describes the "who, what, when, where, why and how" to get started.

For experienced Title IX coordinators, this manual reviews what can be done and where to get help to do it.

For chief school administrators, who are ultimately responsible for implementing Title IX, this manual provides basic guidelines for complying with Title IX and achieving sex equity in a district.

For all supporters of sex equity in education, this manual offers a framework for equity efforts within a district.

FOR IMMEDIATE ASSISTANCE RELATING TO TITLE IX AND SEX EQUITY CALL THE NEW YORK STATE EDUCATION DEPARTMENT

- Title IX Compliance Officer: (518) 474-3934
- Occupational Education Civil Rights Coordinating Unit: (518) 474-0585
- Sex Equity Coordinator for Vocational Education: (518) 474-3901

See pp 20-28 for relevant laws and list of consultants.

ACKNOWLEDGEMENTS

This publication is the product of the Division of Civil Rights and Intercultural Relations. It was written by Margaret Waterson under the general supervision of Karl S. Wittman, Program Manager, Occupational Education Civil Rights Coordinating Unit.

We extend our appreciation to staff members of the Division of Civil Rights and Intercultural Relations for their review and comments: Mary Ann Etu, Michael J. Moon for his editorial review and contribution of materials and to Margaret E. Lynch for preparing original research materials for the project and for her editorial assistance. We also express our thanks to Dr. Anne O'Brien Carelli, Director of the New York State Sex Equity Technical Assistance and Resource Center for her advice and to the law firm of Brustein and Manasevit for their legal review of the document. We acknowledge with great appreciation, the research efforts of Carol Lovelace in developing the background materials and many resources used in preparing the handbook.

We are grateful for the assistance of Carol Donnelly who supervised manuscript preparation and to Mary L. Wood for word processing.

TABLE OF CONTENTS

1. What is Title IX? 1
2. Why is Title IX Important to School Districts? 2
3. Who is Responsible for Implementing Title IX Within a District? 3
4. What is the Role of the Title IX Coordinator? 4
5. Points to Consider When Developing a Model for the District 5
6. Administrative Steps in Designating a Coordinator 7
7. Competencies Required for Title IX Coordinators 8
8. Monitoring Checklist for Coordinators 9
9. What the Regulations Say...In Summary 11
10. What to Look for in Assessing a District's Compliance Status 14
11. What is Involved in the Title IX Grievance Procedure? 15
12. Sex Equity in Vocational Education 17
13. Related Equity Issues 18
14. Federal Anti-Discrimination Laws Pertaining to Schools 20
15. Consultants For Help in Implementing Title IX 24
16. Recommended Resources on Title IX and Sex Equity 27

Appendicies

A. Notification of Vocational Education Opportunities 29
B. Self-Evaluation on Title IX Compliance 35
C. Sample Notification of Title IX Grievance Procedures 40

1

What is Title IX?

Title IX of the Education Amendments of 1972 was the first comprehensive federal law to prohibit sex discrimination against students and employees of education institutions. It was passed after congressional hearings documented the widespread existence and consequences of sex discrimination in education.

The preamble to Title IX states that:

> No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Title IX is one of several federal and state antidiscrimination laws which define and ensure equality in education.* It is patterned after Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color and national origin.

The language of Title IX generally makes it illegal to treat males and females differently or separately. In addition, districts are required to remedy the effects of past discrimination with affirmative measures when necessary. Without such remedial steps, equal access produces little real change in traditional patterns.

After a great deal of controversy and 10,000 written comments from citizens, the implementing regulations for Title IX were published in 1975. They prohibit discrimination, exclusion, denial, limitation, or separation based on gender. The regulations cover in detail the following areas relating to elementary and secondary schools:

- admissions and recruitment
- comparable facilities
- access to course offerings
- access to schools of vocational education
- counseling and counseling materials
- financial assistance
- student health and insurance benefits/services
- marital and parental status of students
- physical education and athletics
- education programs and activities
- employment

Several procedural requirements are also included in the regulations:

- designation of responsible employee(s)
- establishment of grievance procedure
- dissemination of nondiscrimination policy
- self-evaluation
- remedial and affirmative action

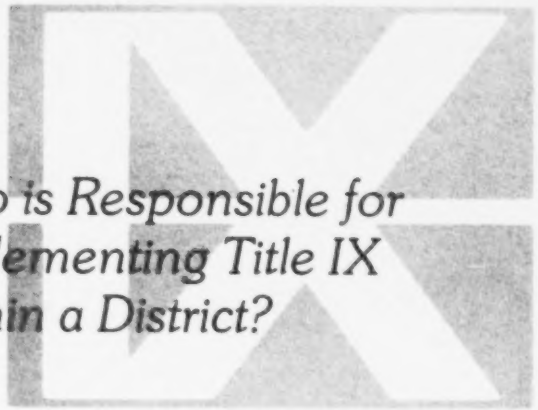
*See page 23 for a summary on other laws and policies pertaining to equity in education (prepared by Michael J. Moon, Division of Civil Rights and Intercultural Relations).

2

Why is Title IX Important to Districts?

- Title IX is educationally sound. Because it prohibits discrimination on the basis of gender, it is consistent with the goal of responding to each individual student's needs, interests, and talents. Implementation of Title IX benefits all students, both male and female.
- Title IX, particularly in its coverage of guidance, vocational, and career education, responds to the changing demands of work and home life in today's society. Today we see more women working outside the home out of economic necessity, more single parents, and more men with increasing involvement in childcare and home and additional career responsibilities. These are the realities facing our graduates. Male and female students, therefore, need equal and expanded educational opportunities to give them the options they may need as adults.
- Title IX regulations provide detailed guidelines for eliminating discrimination and for making a district more equitable, thereby reducing unnecessary grievances.
- Title IX compliance is required by the federal government, and the State Education Department's Occupational Education Civil Rights Coordinating Unit is obligated to conduct a compliance review program of all districts which receive federal funds. Adverse findings can jeopardize federal funding received by a district.

3



Who is Responsible for Implementing Title IX Within a District?

Implementation of Title IX is the shared responsibility of all members of a school community. The regulations require that at least one employee be specifically designated to coordinate compliance efforts.

Members of the school board are responsible for:

- establishing school board policies related to Title IX compliance, including approval of a nondiscrimination policy statement and grievance procedures for students and employees
- policy and budget authorization for overall programming and operation

Administrators are responsible for:

- implementation of Title IX and sex equity policy as established by the school board
- design of educational programs according to this policy
- monitoring and evaluation of programs
- general supervision of service delivery and support staff

Title IX coordinators are responsible for:

- ensuring that procedural requirements of Title IX are being met
- developing and/or administering the grievance procedure
- monitoring Title IX compliance efforts
- coordinating Title IX recordkeeping
- providing technical assistance to other agency personnel
- providing program development (including inservice training) to eliminate sex discrimination

Teachers and counselors are responsible for:

- modifying their individual professional services to comply with Title IX

Individual staff members and community members may assume the responsibility for:

- calling attention to the need for institutional change
- working cooperatively to make a district more equitable

4

What is the Role of the Title IX Coordinator?

Title IX regulations require that at least one employee be designated to coordinate compliance efforts. This responsibility includes investigation of any complaints alleging actions prohibited by the regulations. Regulations further stipulate that all students and employees must be notified of the name, office address, and telephone number of the employee(s) designated as Title IX coordinator(s). This public notification should be done at least once each year. Information should also be included routinely in faculty and student handbooks.

To be effective, Title IX coordinators should be involved in preventive, as well as remedial activities. Preventive activities include events such as arranging staff development sessions regarding compliance responsibilities. Remedial activities include those undertaken to correct noncompliance identified through a grievance or through self-evaluation.

Beyond the legal requirements of Title IX compliance, coordinators in many districts work to promote more comprehensive sex equity objectives. They focus on trying to eliminate broader sex bias and stereotyping which have harmful effects on students, employees, and the educational process itself. Concerns covered in this broader perspective might include eliminating bias in instructional materials; math, science, and computer equity; nontraditional role models; eliminating bias in student-teacher interaction; curriculum coverage of women's history and contributions; and affirmative activities such as support groups for students in nontraditional programs, career fairs and teacher inservice training on today's workforce.

Lest the job seem overwhelming, it is important to remember that a Title IX coordinator is just that — a "coordinator." She or he is not the only person on staff responsible for compliance with Title IX and elimination of sex discrimination. School board members, administrators, and staff are all responsible to varying degrees. Implementation of Title IX is an ongoing process. And, as in any large task, it is best accomplished through a series of short term goals. As each goal is met, the district moves closer to achieving educational equity.

5

Points to Consider when Developing a Model for the District

Each district will want to develop a model appropriate in view of its own needs for assigning and carrying out the duties of Title IX coordinator. The following information should be considered when developing a model for a district.

Shared duties

Two or more persons may share the duties of the Title IX coordinator position. They then enjoy the advantage of pooled expertise in carrying out the wide range of responsibilities, provide moral support for each other; and have the opportunity of providing a male/female team approach.

Within the shared position, the individuals may share responsibility for all functions. They may specialize, one in student concerns, the other in employee concerns. Or one may concentrate on proactive equity activities, and the other on grievance and procedural duties.

Single coordinator

Unless the person handling all Title IX duties is working at this job fulltime, she or he will probably not be able to be responsible personally for all compliance activities. The emphasis in this case must be on coordination, relying on the ability to motivate and follow-up on a variety of tasks and personnel.

Building coordinators

In large districts, the Title IX coordinator(s) may not be easily accessible to staff and students. In such cases, districts sometimes appoint building-level coordinators who work in cooperation with the district coordinator(s).

Equity coordinator

Some districts find it beneficial to appoint one equity coordinator to coordinate compliance and equity issues relating to race, national origin, handicap, and sex. An equity coordinator can take a holistic, and more efficient, approach to the diverse issues and pieces of legislation involved. This coordinator generally achieves greater visibility within a district than a Title IX coordinator because of the broader area of involvement.

Administrative time

In most districts, Title IX duties are assigned to persons already working fulltime at teaching or administrative positions. Because of the scope and significance of the duties involved, coordinators would greatly benefit from being granted a corresponding reduction in workload or increase in compensation to cover the time involved.

Continuity

The duties of the Title IX coordinator(s) are best carried out by experienced and knowledgeable staff. Continuity should be built into the coordinator role and annual changes in personnel should be avoided.

Resources

Title IX coordinators need access to resources to fulfill their responsibilities. Costs are generally minimal, but coordinators may need a small budget or authority to draw from other budgets (e.g., inservice and publicity budgets).

Access to information and authority

Coordinators should have open access to information and to administrative/decision making authority in all areas covered by the regulations. Title IX compliance is ultimately the responsibility of the chief school administrator. Coordinators, therefore, should report directly to this person, or to someone with direct and immediate access to her or him.

Committee structure

Whether a district has one or more persons acting as Title IX coordinator(s), it is likely to benefit from having a Title IX committee. This committee could be an enthusiastic, action-oriented group working to make the district more equitable. It could also be simply an advisory committee of people who are

"on call" to support the coordinator(s) with information and expertise.

A Title IX committee can function well as a subgroup of a general equity committee concerned with issues of discrimination based on race, national origin, sex, and handicapping conditions.

Title IX committees/coordinators should also maintain working relationships with existing district committees (e.g., curriculum, special education, guidance, and personnel committees).

Communication with other coordinators

The New York State Education Department's Division of Civil Rights and Intercultural Relations has developed a directory of Title IX coordinators for all the BOCES in the state. Communication with local BOCES coordinators may help new coordinators get started and help experienced coordinators resolve difficult situations.

6

*Administrative Steps in Designating a Coordinator**

Effective Title IX coordinators are valuable resources within a district in handling compliance and grievance responsibilities. Even more important is the role of the coordinator(s) in creating a climate where issues can be identified and resolved in an informal, cooperative manner.

An administrator might follow the steps listed below when selecting staff for the Title IX coordinator position(s):

- Review the Title IX Regulation for compliance guidelines and job functions of the designated employee(s).
- Prepare a description of the functions and responsibilities to be performed by the Title IX coordinator(s). Be as specific as possible.
- Consider what qualifications are necessary for this job.
- Conduct necessary interviews to select the coordinator(s).
- Make a formal designation of the employee(s) selected.
- Send a memo for all staff and students announcing the name(s), office address(es), and telephone number(s) of the new coordinator(s).
- Include a statement regarding compliance responsibilities of all staff and their relationship to the designated employee(s).
- Design a program plan of the tasks necessary for achieving compliance with Title IX and a timeline for achieving it.
- Establish a schedule or system for regular reporting and conferences between coordinator(s) and chief administrative officers.
- Evaluate progress of compliance efforts regularly and implement procedures for problem solving as they are identified.

*Adapted from materials prepared by the Resource Center on Educational Equity

7

*Competencies Required for Title IX Coordinators**

Title IX coordinators need a variety of administrative, interpersonal, and Title IX-related competencies to carry out their duties. No one person could have all the competencies listed below, but this list provides guidelines for the selection process.

Staff serving in the role of Title IX coordinators should possess:

- commitment to educational equity
- in-depth knowledge of Title IX regulations and an understanding of whom to contact for updated information on administrative or judicial rulings
- general knowledge of other federal and state nondiscrimination laws
- familiarity with internal grievance procedures and avenues of appeal
- thorough knowledge of the decision-making structure and operations of the district
- knowledge of personnel policies and practices of the district
- knowledge of student programs and related policies and practices
- ability to design, implement, and monitor compliance activities
- ability to prepare reports on Title IX compliance activities and make recommendations for action by appropriate decision-makers
- ability to interpret and personalize technical information for employees and students
- ability to design and implement training activities, consultation services, and continuing information services
- ability to communicate effectively both orally and in writing with a variety of groups
- ability to diagnose, clarify, and mediate differences of opinion
- ability to maintain nonjudgmental and nonthreatening behaviors in situations of conflict
- ability to state a position clearly and assertively in situations of opposition
- ability to establish a positive climate for Title IX compliance efforts

*Adapted from materials prepared by the Resource Center on Educational Equity

8

*Monitoring Checklist for Coordinators**

Ensuring compliance with Title IX is an ongoing program rather than a one-time response. As both programs and personnel change, Title IX coordinators must continuously monitor education programs and activities, and also employment policies and practices, to make sure that the requirements of Title IX are being met. Here is a checklist of activities to guide coordinators in establishing a monitoring program.

		YES	NO
A.	**EDUCATION PROGRAM AND ACTIVITIES**		
	As the Title IX coordinator, have you:		
(1)	Ensured that all procedural requirements have been met?	___	___
(2)	Reviewed the Title IX grievance procedure?	___	___
(3)	Received and resolved complaints regarding Title IX violations?	___	___
(4)	Monitored scheduling in each school to make sure that there are no sex-segregated classes or extracurricular activities other than the ones permitted under the Title IX exemptions?	___	___
(5)	Reviewed school policies and practices to spot exclusionary statements or discriminatory effects on the basis of sex?	___	___
(6)	Administered and reviewed athletic interest surveys, the athletic program for female and male students, participation rates and budgets?	___	___
(7)	Checked class enrollments for grossly disproportionate female and male ratios (70 percent or more single sex) and any possible discrimination if such ratios are found?	___	___
(8)	Monitored vocational education procedures such as recruitment of students, enrollment and completion rates and job placement?	___	___
(9)	Ascertained that counseling practices, materials and tests are nondiscriminatory?	___	___
B.	**EMPLOYMENT****		
	As the Title IX coordinator, have you:		
(1)	Reviewed all employment policies for exclusionary statements and/or discriminatory impact?	___	___

*Reprinted from Title IX Coordinators Orientation Packet, prepared by the Mid-Atlantic Center for Sex Equity.

**School districts are also subject to the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964 and other federal nondiscrimination legislation.

		YES	NO
(2)	Scrutinized all employment practices (recruitment, hiring and firing, assignment, promotion, tenure, reduction in force, etc.) for exclusionary statements and/or discriminatory impact?	___	___
(3)	Made sure that there are no questions related to marital status or other gender related items on any application for employment?	___	___
(4)	Examined closely all fringe benefits (including childbearing and childrearing leave) for exclusionary statements and/or discriminatory impact?	___	___
(5)	Made sure that sex is not used as an employment criterion for any position, including coaching (unless it is a bona fide occupational qualification)?	___	___
(6)	Reviewed the Title IX grievance procedure?	___	___
(7)	Received and resolved complaints regarding Title IX violations?	___	___

C. SUGGESTIONS FOR INVOLVING OTHER STAFF MEMBERS IN COMPLIANCE ACTIVITIES*

(1) Set up a Title IX Advisory Committee with a cross section of administrators, faculty, staff, students, and perhaps a board of education member and a parent. (Make sure that the committee has clearly defined tasks and meets regularly.)

(2) Suggest to the superintendent that he/she present to the board of education an annual status report on compliance with Title IX and sex equity issues. You can prepare the report and be available to answer questions that board of education members may have.

(3) Meet with student leaders at the high school and junior high levels to determine ways in which students can assume leadership roles in sex equity concerns (e.g., assisting in recruiting and supporting students in areas nontraditional to their sex).

(4) Meet with officials of your school PTA to discuss ways in which the Title IX coordinator and parents can jointly work to ensure equal opportunity for female and male students.

(5) Prepare a periodic newsletter to keep all educators in your district alert to new developments in Title IX and sex equity issues.

(6) Set up a school and community resource file of workers in nontraditional areas.

(7) Meet with representatives from the Women's Commission or other advocacy or community organizations to ensure close coordination of equity efforts.

(8) Send guidance counselors the latest resources on educational and career opportunities for female and male students on a regular basis.

(9) Work closely with work-study coordinators and employers to ensure that students are placed in employment positions on the basis of their interests and abilities rather than their sex.

(10) Serve as an advisor to the superintendent or other administrators or supervisory personnel regarding facets of their behavior that might be considered sexist.

*Adapted from Title IX Coordinators Orientation Packet, prepared by the Mid-Atlantic Center for Sex Equity.

9

What the Regulations Say...in Summary

A. PROCEDURAL REQUIREMENTS

(1) Self-evaluation

Each education institution receiving federal funds (labeled recipient) should have evaluated its current policies and practices as to their compliance with the Title IX regulations by July 1976. Policies and practices that did not meet the requirements should have been modified, and remedial steps taken to eliminate the effects of discrimination. Self-evaluation should be an ongoing process. Ideally, self-evaluation would be conducted every school year to ensure continued compliance with the regulations.

(2) Remedial and affirmative action

If a school system is found to have discriminated on the basis of sex, it can be required if it does not choose of its own initiative to take specific remedial steps to eliminate the discrimination and to overcome the effects of the discrimination.

A recipient is also allowed to take affirmative steps to increase participation of students in programs or activities where girls or boys have taken part only on a limited basis.

(3) Designation of responsible employee

Every recipient must designate at least one employee to coordinate compliance efforts and investigate any complaints of sex discrimination. All students and employees must be notified of the name(s), office address(es), and telephone number(s) of the designated employee(s).

(4) Grievance procedure

Each recipient must adopt and publish grievance procedures to provide for prompt and equitable resolution of student and employee complaints of discrimination on the basis of sex. Utilization of these procedures is not necessary before a complainant seeks assistance from the federal Office for Civil Rights or files a formal complaint.

(5) Dissemination of policy

Each recipient must take specific and continuing steps to announce that it does not discriminate on the basis of sex. This notification must be made to applicants for admission, students, parents, and employees. It must also be sent to collective bargaining agencies and to those who may refer applicants for employment or admission.

The policy must be well-publicized and must include publication in local newspaper and school publications (including student newspapers) as well as in direct written communication with students, parents, and employees on at least a yearly basis.

Schools must carry a statement of nondiscrimination on the basis of sex in bulletins, handbooks, announcements, application forms, and any material which is used to recruit either students or employees.

Schools cannot use or distribute any material which suggests by words or pictures that students or employees are treated differently on the basis of sex.

All of these steps must be carried out on a continuing basis.

(6) Public Announcement of Compliance

Title IX requires that each school district identify the name(s), address(es), and telephone number(s) of the person(s) serving as the Title IX coordinator(s). Another federal law, Section 504 of the Rehabilitation Act of 1973, requires that similar public announcements be made to identify the Section 504 coordinator and the district's discrimination policy relating to handicapping conditions. In addition, the federal Office for Civil Rights issued Guidelines which require that school districts offer vocational education programs without regard to race, color, national origin, sex or handicap.

Also, all school districts which receive federal funds under the Carl D. Perkins Vocational Education Act have additional public notification requirements for their handicapped and disadvantaged students. In order to comply with all of these federal notification requirements in an efficient manner, the State

Education Department has developed a consolidated notification process that a district may wish to adopt to meet all of its obligations. A copy of the publication, entitled "Notification of Vocational Education Opportunities," is reproduced in Appendix A for your convenience.

(7) Admissions and recruitment

Title IX regulations bar discrimination in admissions to certain kinds of institutions: vocational, professional, graduate, and public undergraduate institutions. Specific prohibitions include ranking applicants separately on the basis of sex and the use of numerical limitations which favor one sex or the other.

These institutions must also conduct nondiscriminatory recruitment, including all recruitment materials and activities.

In school districts and BOCES, this regulation also applies to vocational education programs, advanced placement programs, and any other special programs to which students are recruited as participants.

B. TREATMENT OF STUDENTS

(1) Comparable facilities

A recipient may provide separate toilet, locker, and shower facilities on the basis of sex; those provided for one sex must be comparable to those provided for the other.

Comparable facilities for physical education and athletics must be provided for all students.

(2) Access to course offerings

Schools may neither require nor refuse participation in a course on the basis of sex. This prohibition includes physical education; health education; vocational and technical education; home economics, industrial, and business education; advanced placement courses; and adult education classes.

Students may be grouped by ability in physical education classes and activities as long as ability is assessed by objective standards developed and applied without regard to sex. Students may be separated by sex within physical education classes during participation in contact sports.

Portions of classes in elementary and secondary schools which deal exclusively with human sexuality may be conducted separately for males and females.

Recipient institutions may make requirements based on vocal range or quality which may result in choruses of one or predominantly one sex.

(3) Access to schools of vocational education

A local education agency may not exclude, on the basis of sex, any person from admission to a vocational education institution or any other school or unit operated by the agency.

(4) Counseling and counseling materials

A recipient may not use assessment and counseling materials or methods that discriminate on the basis of sex. A recipient is required to develop procedures to assure that materials are sex fair, including tests, pamphlets and books on educational opportunities, careers, and occupations, and on many facets of personal growth and aspirations.

Recipients are also required to take steps to ensure that any disproportion in the numbers or percentages of males and females in classes is not due to discrimination on the basis of sex in counseling materials and practices.

(5) Financial assistance

Financial assistance to students may not be awarded on the basis of sex, with certain exceptions which are detailed in this section.

Although this section most frequently applies to colleges and universities that provide financial assistance in the form of tuition assistance, high school officials should also be mindful of its provisions. High schools are not allowed to solicit, list, approve, or assist any kind of financial aid which discriminates against students on the basis of their sex. For example, a school district may not provide monetary awards, or permit community organizations to use the school to promote such awards, for which gender is an eligibility criterion for receipt. Athletic scholarships offered only to members of single-sex teams are legal, but it then becomes the responsibility of the district to ensure availability of scholarships for athletes of the other sex, so that equality of opportunity is maintained.

The recipient may administer financial assistance established by legal instruments (e.g., trusts, wills) which require that awards be made to members of a specified sex provided that the overall effect of such sex-restricted awards does not discriminate on the basis of sex.

(6) Employment assistance

Before a school can assist an employer in seeking students for part-time or full-time work, the school must assure itself that the potential employer does not discriminate in employment on the basis of sex.

If a school itself offers employment to students, it must offer equal employment opportunities and equal pay to boys and girls.

(7) Student health insurance benefits and services

The school district must make sure that its insurance policies provide the same full coverage for male and female students. If a school allows an insurance company to contact parents about purchasing insurance for students, these policies must also offer the same benefits for males and females.

(8) Marital or parental status of students

A district may not apply rules relating to parental, family, or marital status which treat students differently on the basis of sex. This regulation affects not only academic programs, but

also any extracurricular activities or awards operated or sponsored by the school.

A student may not be excluded or treated differently because of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery period. A pregnant student may not be kept out of any program, class, or extracurricular activity operated or sponsored by the school simply because she is pregnant or a parent.

Even if a district maintains a separate program for pregnant students, it cannot require pregnant students to attend the program. Such a program may be offered only on a completely voluntary basis.

Schools may not require notes from physicians before allowing pregnant students to take part in any program or activity, unless notes are required from all students who are seeing physicians for physical or emotional conditions.

(9) Athletics

The general requirement of this section provides that no athletic programs or clubs, whether intermural or intramural, can be set up to exclude one sex or treat one sex differently from the other.

Within integrated programs, schools may have separate teams for girls and boys only if team members are chosen on the basis of competitive skills. Girls must be allowed to try out for the team in noncontact sports if the school does not sponsor a girls' team in the same sport and if athletic opportunities for girls at that school have been limited in the past.

Although Title IX permits the exclusion of girls on boys' teams in contact sports (basketball, football, ice hockey, boxing, rugby and wrestling), the New York State Board of Regents policy and recent New York State court decisions allow some students to try out for teams organized for the opposite sex.

The exclusion of girls in competition in contact sports is superseded by a January 1986 policy amendment by the New York State Board of Regents to the Regulations of the Commissioner of Education. This ruling permits female high school students to compete in interscholastic competition with boys in contact sports if a separate all-girls team is not provided by the school.

However, before any girl may participate in mixed competition in the six contact sports or any other designated contact sport (including baseball, field hockey, lacrosse, soccer, softball, speedball, team handball, and power volleyball, where the height of the net is set at less than eight feet) she must first pass a physical fitness test conducted by a panel consisting of a school physician, a physical education teacher, and, if requested by the parents, a personal physician, to evaluate that specific girl's ability to compete safely in that specific sport.

Where a school provides separate teams for male and female students in a particular sport, the regulation says that girls may compete on the boys' team with the approval of the school superintendent or principal, but that boys may not participate on teams organized for girls where a team for boys is also provided. This would be allowed where the level of competition on the girls' team would not be challenging to the girls desiring to play on the boys' team.

Equal opportunity is required for both sexes in interscholastic athletics, school clubs, and intramural games sponsored by the school.

Equal dollar for dollar expenditures on girls' and boys' separate athletic activities are not required, but failure to "provide necessary funds" will be taken into consideration when assessing equality of opportunity for members of each sex.

(10) Education programs and activities

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives federal assistance. A recipient is also prohibited from cooperating with any agency, organization, or person that discriminates on the basis of sex in providing help, benefits, or services to students. Equal access and treatment of all students in educational programs is mandated by Title IX.

(11) Employment

Discrimination on the basis of sex is prohibited in employment as well as employee recruitment and selection. The provisions apply to advertising, upgrading, promotion, tenure, layoffs, termination, rates of pay, job classification, collective bargaining, leave, fringe benefits, financial support for training, pre-employment inquiries, pregnancy, marital or parental status, and employer-sponsored activities. The most common violation of Title IX concerns a district's failure to provide child care leave to males when it is offered to females and treatment of pregnancy differently than any other temporary disability.

10

What to Look for in Assessing a District's Compliance with Title IX

Each participant was required to conduct a self-evaluation of its admission and treatment of students, and employment of academic and non-academic personnel by July 1976. Policies and practices which did not meet the requirements of the regulations should have been modified. Appropriate remedial steps should have been taken to eliminate the effects of any discrimination.

When working from the initial evaluation, the coordinator should review the results to see if modifications and remedial action have, in fact, been taken and have been successful in eliminating the inadequacies originally discovered. Ideally, self-evaluation should be conducted every school year to ensure compliance.

If a new evaluation is necessary, the self-monitoring guide found in Appendix B should provide the district with an overall assessment of how well it complies with the regulation. More important, it will indicate areas that need attention and serve as a basis for recommendations for modification and remedial action. The guide was prepared from questions adapted from *Title IX: Evaluating Equity in Education*, by Kaye Willhite.

Once this assessment is completed, any questions with "no" answers should be reviewed and discussed with appropriate staff members involved. Recommendations should then be made to the chief school administrator.

Please note that the offices listed on pages 24 — 26 are available to assist districts with equity concerns. Materials listed in the section following the consultant listing may be borrowed from the Sex Equity Resource Center and from the Title IX Compliance Officer, Division of Civil Rights and Intercultural Relations, New York State Education Department.

11

What is Involved in a Title IX Grievance Procedure?

Title IX regulations require districts to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging sex discrimination (including sexual harassment). A single procedure may cover both student and employee complaints. Two sample Title IX grievance procedures are found in Appendix C.

This procedure might also be written to cover Section 504 requirements regarding discrimination based on handicap. Agencies must designate a Title IX Coordinator (and a Section 504 Coordinator) to investigate such complaints.

Adopting Grievance Procedures

Suggested guidelines for adoption of grievance procedures are listed below:

- An agency must adopt a grievance procedure for students and one for employees, or may choose to adopt one consolidated grievance procedure which covers both students and employees.
- The procedures should be clear and simple.
- A written statement of the complaint should be required.
- The location of complaint forms, if specific forms are to be used, should be described.
- The responsibilities of the Title IX coordinator in the investigation/resolution should be specified.
- The complainant should be asked to indicate the outcome she/he desires.
- A precise time frame for each step in the grievance process should be given.
- The persons who may be present, and those who may present information at any hearing or meeting to resolve the complaint, should be listed.
- Steps for appealing the initial decision within the agency should be outlined.
- Channels for pursuing complaints outside the agency (e.g., the federal Office for Civil Rights, the New York State Division of Human Rights, and the New York State Commissioner of Education) should be included.

Dissemination of Grievance Procedures

Grievance procedures must be disseminated to students and employees on a continuing basis, at the very least annually. No specific methods of dissemination are required, but some suggested methods are listed below:

- Include the grievance procedures in student and staff handbooks and in course catalogs.
- Include the procedures in the district calendar, newsletter, and student newspapers.
- Post the procedures in the guidance department, administrative offices, staff bulletin boards, and faculty rooms.
- Insert the grievance procedures in the first employee pay envelope of each school year.
- Ask teachers to distribute and explain the grievance procedures during homeroom period or other scheduled class time.

Guidelines for All Personnel Involved in the Grievance Process*

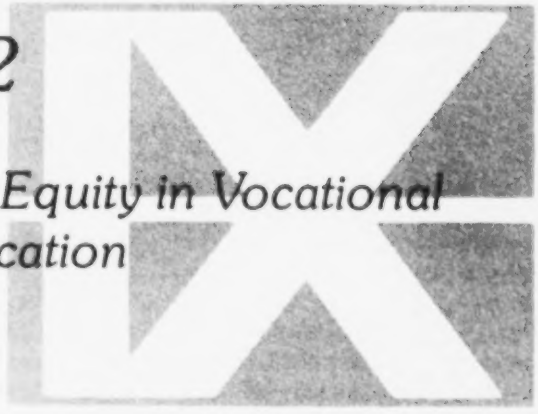
- Review thoroughly the entire procedure, including responsibilities and rights of all parties involved.
- Withhold judgment regarding the validity of the grievance during the process.
- Identify those portions of Title IX regulations and related materials which are relevant to the grievance in process.
- Maintain an open and objective attitude while seeking information.
- Raise questions which may clarify the facts of the situation.

*Adapted from materials prepared by the Resource Center on Educational Equity.

- Assist all parties in identifying and obtaining relevant information.
- Avoid discussing blame, either directly or indirectly.
- Avoid becoming emotionally involved in grievances.
- Do not express preconceived notions, ideas, judgments, or conclusions.
- Do not predict outcomes.
- Be supportive of grievants and respondents.

12

Sex Equity in Vocational Education



Enrollment in individual vocational education programs and courses has tended to follow gender lines. This sex-segregation over the years was a reflection of the traditional societal views of appropriate occupations for men and women. Now, as the demands of home and work life are changing, enrollments should reflect the current social trends. As more women are entering the workforce out of economic necessity and more men have increasing home and childcare responsibilities, both girls and boys will need to develop home and career skills to function in their adult roles.

Title IX provides guidelines for increasing options for students through increasing nontraditional enrollments. Examples of nontraditional enrollments are a boy who studies nursing and a girl who studies welding.

The following areas of vocational education merit special attention in efforts to implement Title IX and achieve sex equity in vocational education.

Nontraditional recruitment: To encourage students to enroll in classes which are nontraditional for their gender, an affirmative program of nontraditional recruitment must be undertaken. Use of nontraditional role models, invitations to visit classes, and nontraditional career fairs are a few of the recommended strategies for this type of recruitment. In a time of declining enrollments, nontraditional recruitment can strengthen vocational education by increasing total numbers of students as well as by promoting equity.

Support for nontraditional students: A good nontraditional recruitment program should include a support system which will be in place for students from the first spark of interest in applying through placement in the first job. Buddy systems; support groups where nontraditional students can discuss classroom and work experiences; and on-the-job shadowing experiences with role models of the same gender are all useful in such a support system.

Faculty support: Individual faculty members are of critical importance in creating an equitable climate where nontraditional students can be successful. It is important to remember that teachers need support, too, in finding out how to make the transition to an integrated class. Inservice training before the fact is recommended.

Facilities: The physical set-up of vocational education classrooms can have a strong influence on the comfort level of nontraditional students. Easy access to toilet facilities and changing rooms (where uniforms or work clothes are required for class) is especially important.

Materials used in instruction, recruitment, and career education: Materials, particularly career information provided by potential employers, the armed services, and training institutions, should be reviewed to ensure that they integrate male and female participation throughout the material.

Curriculum: Courses should be reviewed to ensure that instructional methods and requirements are nondiscriminatory and that class projects and activities represent a range of interests (e.g., a sewing unit could offer everyone a choice of making an apron, a back pack, or a pillow).

Cooperative education, work study, and job placement: All agreements with employers should contain a written statement of nondiscrimination. Requests received from employers for a male or a female placement cannot be honored.

13

Related Equity Issues

The issues described below have an important role in any comprehensive consideration of educational equity and the elimination of sex discrimination.

Unbiased Instructional Materials

Materials may be biased in many ways: underrepresentation of certain groups; stereotyped presentation of roles and attributes of these groups; biased language (e.g., exclusive use of masculine terms and pronouns); coverage of minority issues only as separate chapters/units; avoidance of controversial issues or interpretations of issues, situations, or groups. All of these forms of bias are roadblocks to equity efforts.

Title IX regulations specifically exempt texts and instructional materials from coverage to avoid possible conflict with First Amendment guarantees of freedom of expression. The preamble to the regulation, however, does acknowledge the significance of the problem of sex bias in textbooks and encourages action to combat this problem. Many districts have incorporated efforts to secure non-biased materials and develop nonsexist activities within a general Title IX compliance program.

Math, Science, and Computer Equity

Traditionally, girls and women have avoided the fields of math and science, both in school and in the workforce. There is strong evidence that there are similar trends in the field of computer science. To achieve real equity in these important areas, it is necessary to go beyond providing the equal access mandated by Title IX. Affirmative steps must be taken to break down the traditional patterns of avoidance by girls and women. Females, as well as males, must be encouraged to enroll in math, science, and computer courses and to pursue employment opportunities in those fields. The resource listing on pages 27-28 includes titles of several resources for strategies and activities on this topic.

Pay Equity

Pay equity simply means paying employees fairly for their work. Current studies on pay equity help determine if jobs that require comparable skill, effort, and responsibility, and are performed under comparable working conditions are paid comparable wages.

Jobs traditionally held by women have been underpaid compared to male-dominated jobs that are of comparable value to the employer. Sex discrimination, built into salary structures by the longtime underevaluation of women's work, is responsible for a substantial part of the wage gap which exists between men and women. In 1984, women made only 63.6¢ for every dollar earned by men, according to the National Commission on Working Women. Studies show that only a small portion of this earnings gap can be accounted for by differences in education, experience, and number of years in the labor force.

Sexual Harassment

Sexual harassment of students or employees is a violation of Title VII of the Civil Rights Act of 1964 and of Title IX of the Education Amendments of 1972 in that it constitutes differential treatment on the basis of sex. In August 1981, the Office for Civil Rights of the U.S. Department of Education reaffirmed its jurisdiction over sexual harassment complaints under Title IX and adopted the following working definition:

> Sexual harassment consists of verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provision of aid, benefits, services, or treatment protected under Title IX.

Sexual harassment may include unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

An institution may either use its general Title IX grievance procedure to respond to allegations of sexual harassment, or

may develop and implement special procedures for handling sexual harassment allegations. Given the especially sensitive nature of this form of sex discrimination, some districts have developed special procedures and have instituted specific training in handling these cases.

The American Council on Education has published guidelines designed to help educational institutions revise existing or create new sexual harassment policies.

1. Develop a stong policy that includes a clear definition of sexual harassment and explains why it is important for your institution to prevent such practices. The policy may be more effective if it is endorsed by the faculty governing body and monitored by a faculty committee.
2. Develop a grievance procedure that encourages students and employees to report incidents of sexual harassment. An effective grievance procedure should allow complaints to be resolved informally first, but if that fails, through formal channels.
3. Distribute the policy to all employees and students, as well as to agencies and companies that do business with the institution or provide internships to students. Include the policy in the student handbook; course catalogue; administrative, faculty, and staff handbooks; campus contracts; and the academic governance code.
4. Inform new students, administrators, professors, and staff members about the institution's position. Explain the policy at orientation programs and workshops.
5. Create an educational program to help everyone on the campus understand and prevent sexual harassment. Develop brochures that explain what constitutes sexual harassment and where to go for help.
6. Provide training to supervisors, including deans, department chairmen, and student-affairs personnel, through workshops and seminars. Continued training may be provided by student governments and faculty and staff councils.
7. Appoint a coordinator to handle reports of harassment, such as the campus ombudsman, affirmative-action officer, or a staff member in the student-affairs office. The person should be well-respected on the campus.
8. Adopt, publicize, and enforce penalities for violations of the policy.
9. Investigate and resolve complaints promptly.
10. Keep written records, but take precautions to protect the privacy of all parties involved.
11. Take action to resolve claims even if a discrimination charge has been filed with the Equal Employment Opportunity Commission or a State agency.
12. Publish the results of resolved complaints in internal reports, making certain that all information used protects the privacy of people involved.

The Equal Employment Opportunity Commission (EEOC) handles sexual harassment complaints under Title VII of the Civil Rights Act of 1964. Title VII prohibits employment discrimination on the basis of race, sex, color, religion and national origin. The EEOC defines sexual harassment as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a nature which constitutes harassment when:

- submission to the conduct is either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; and/or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Overlapping Issues of Equity

Many individuals are subject to discrimination on the basis of more than one characteristic. For example, a disabled woman may face discrimination in hiring because she is disabled and also because she is a woman. (Disabled women are almost twice as likely to be unemployed as disabled men.)

Strategies developed to eliminate sex discrimination should be carefully examined for possible discrimination based on race, color, national origin, or handicap. It is also necessary to look for evidence of sex discrimination within programs aimed at eliminating other forms of discrimination.

14

Federal Anti-Discrimination Laws Pertaining to Schools

The following federal laws, regulations and presidential executive orders cover various anti-discrimination requirements affecting educational institutions and their employees and students. Compliance with these statutes is under the jurisdiction of federal enforcement agencies, including the Office for Civil Rights of the United States Department of Education, the Equal Employment Opportunity Commission and the United States Department of Labor.

Technical assistance in the interpretation and resolution of complaints of discrimination under these statutes is also available upon request from the Division of Civil Rights and Intercultural Relations of the New York State Education Department, Room 471, Education Building Annex, Albany, New York 12234.

(1) **14th Amendment of the United States Constitution of 1868:** states that "all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of laws."

Complaints may be filed with the United States Department of Education, Office for Civil Rights, 26 Federal Plaza, Room 33-100, New York, New York 10278; (212) 264-4633.

(2) **Equal Pay Act as amended in 1972 (P.L. 88-38):** prohibits discrimination on the basis of sex in wages and fringe benefits by any employer in the United States.

The Act provides that a man and a woman working for the same employer under similar conditions in jobs requiring substantially equivalent skills, effort, and responsibility must be paid equally even when job titles and assignments are not identical. Employers are required to maintain specified records relevant to the determination of possible violations of the law.

Complaints may be filed with the United States Department of Labor, Employment Standards Administration, Wage and Hour Division, Washington, D.C. 20210 or with any regional office of the United States Department of Labor.

(3) **Title VI of the Civil Rights Act of 1964 (P.L. 88-352):** prohibits discrimination against students on the basis of race, color or national origin in any school receiving federal assistance. Title VI covers student admissions, access to courses and programs, and student policies and their application. The provision of bilingual instruction or some other method of comprehensible education for students of limited English speaking ability is also required.

Complaints may be filed with the United States Department of Education, Office for Civil Rights, 26 Federal Plaza, New York, New York 10278; (212) 264-4633.

(4) **Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972 (P.L. 88-352):** prohibits discrimination against employees on the basis of race, color, national origin, religion or sex by any employer in the United States who employs 15 or more people. This also includes employment agencies, labor unions, and state and local governments. Title VII prohibits discriminatory practices in all terms and conditions of employment, including:

- recruitment, selection, assignment, transfer, layoff, discharge, and recall
- opportunities for promotion
- inservice training or development opportunities
- wages and salaries
- sick leave time and pay
- vacation time and pay

- overtime work and pay
- medical, hospital, life, and accident insurance
- retirement plans and benefits
- other staff benefits

Complaints may be filed with the Equal Employment Opportunity Commission, 2401 E Street, N.W., Washington, D.C. 20037 or with any regional Office of EEOC; (212) 264-7161 in New York City; (716) 432-4441 in Buffalo.

(5) **Executive Order 11246 as amended by 11375 (1968):** prohibits discrimination against employees on the basis of race, color, religion, sex or national origin in all schools with federal contracts or subcontracts of $10,000 or more. These orders cover all areas of employment including: hiring, discharge, promotion, wages, benefits, and training. Institutions or agencies with Federal contracts of $50,000 or more and 50 or more employees are also required to develop written affirmative action plans with numerical goals and timetables to cover all employees.

The Office of Federal Contract Compliance of the United States Department of Labor has designated the United States Department of Education, Office for Civil Rights as the enforcement agency. Complaints may be filed with the regional office at 26 Federal Plaza, New York, New York 10278; (212) 264-4633.

(6) **Title IX of the Education Amendments of 1972 (P.L. 92-318):** prohibits discrimination on the basis of sex against any student or employee of a school district receiving federal financial assistance. Title IX prohibits sex discrimination in such areas as:

- admissions to vocational, graduate, professional, and public undergraduate schools
- access to courses and programs
- counseling and guidance practices — tests and materials
- physical education and athletics
- vocational education programs
- student rules and policies
- treatment of married and/or pregnant students
- financial assistance
- student housing
- extracurricular activities
- employment

Agencies and institutions must develop grievance procedures for handling local complaints, appoint a Title IX Coordinator, conduct an institutional self-assessment of compliance, and adopt and provide public notification of a policy of non-discrimination and compliance with Title IX.

Complaints may be filed directly with the United States Department of Education, Office for Civil Rights, 26 Federal Plaza, New York, New York 10278; (212) 264-4633.

(7) **The Rehabilitation Act of 1973 (P.L. 93-112):** promotes and expands the opportunities available to individuals with handicapping conditions. Section 502 requires complete accessibility in all building constructed after 1968 and financed with federal funds. Section 503 requires federal contracts valued over $2,500 to include affirmative action and non-discrimination clauses. Section 504 and its regulations provide equal educational opportunity for "otherwise qualified handicapped individuals" in all educational programs. Equal educational opportunity requires program accessibility, identification of needs for educational assistance and provision for financial assistance to allow students an opportunity to succeed in the school.

Complaints may be filed with the United State Department of Education, Office for Civil Rights, 26 Federal Plaza, New York, New York 10278; (212) 264-4633.

(8) **The Education for All Handicapped Children Act (P.L. 94-142), United States Code 1411, 1976:** provides federal financial assistance to schools in educating young people between 6 and 21 years of age who have been properly identified and evaluated to be in the targeted categories of: special education, hearing or speech impaired, visually or orthopedically handicapped, emotionally disturbed or specific learning disabilities. The law provides financial assistance to a state based on the state's average per pupil expenditure for these young people if the state follows the required identification, evaluation and programming procedures of the law. The law requires that students with a handicap be educated in the "most integrated setting" appropriate. The school must provide each student with an individual education program. Schools are required to search for students with a handicap, rather than waiting for students to identify themselves to the school. The local education agency, in most cases the school district, is financially responsible for providing all necessary programming for the handicapped student. Agencies must establish a Committee on the Handicapped with parent representation to approve of the educational placement of all handicapped students. A grievance appeals process must be established to resolve disputes.

Complaints may be filed with the United States Department of Education, Office for Civil Rights, 26 Federal Plaza, New York, New York 10278; (212) 264-4633.

(9) **Pregnancy Discrimination Act (P.L. 95-555), 1978, an amendment to Title VII of the Civil Rights act of 1964:** makes clear that discrimination on the basis of pregnancy, childbirth or related medical conditions constitutes unlawful sex discrimination under Title VII of the Civil Rights Act of 1964.

Complaints may be filed with the Equal Employment Opportunity Commission, 2401 E Street, N.W., Washington, D.C. 20037 or with any regional Office of EEOC; (212) 264-7461 in New York City; (716) 432-4441 in Buffalo.

(10) **Age Discrimination in Employment Act as amended in 1978:** prohibits employers, employment agencies and labor organizations with 20 or more employees from basing hiring decisions on a person's age when the person's age is between 40 and 70 unless an age limit is a necessary qualification for job performance.

The U.S. Department of Labor has designated the United States Department of Education, Office for Civil Rights as the enforcement agency. Complaints may be filed with the Regional Office at 26 Federal Plaza, New York, New York 10278; (212) 264-4633.

(11) **Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap:** rules issued by the federal Office of Civil Rights, United States Department of Education (March 21, 1979) as a result of injunctive orders entered by the United States District Court for the District of Columbia in Adams v. Califano. The Guidelines describe the civil rights responsibilities of recipients of federal funds offering vocational education programs. They derive from Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 and their implementing regulations.

The Occupational Education Civil Rights Coordinating Unit of the Division of Civil Rights and Intercultural Relations, New York State Education Department administers the compliance and technical assistance requirements of the Guidelines and of the relevant federal statutes as they apply to vocational education. Complaints and requests for technical assistance can be directed to that Unit at Room 471, Education Building Annex, Albany, New York 12234; (518) 474-0585.

Additionally, complaints can be filed with the Office for Civil Rights, United States Department of Education.

(12) **The Carl D. Perkins Vocational Education Act of 1964, (P.L. 98-524):** provides funds for vocational education and replaces the Vocational Education Act of 1963. It places emphasis on making vocational education "... accessible to all persons, including handicapped and disadvantaged persons, single parents and homemakers, ... persons participating in programs designed to eliminate sex bias and stereotyping in vocational education ... ." Among its provisions, the Act seeks to reduce the limiting effects of sex-role stereotyping on occupations, job skills, levels of competency and careers. It authorizes a state-level sex equity coordinator to administer this portion of the program.

The State Education Department administers sex equity projects under the Vocational Education Act; makes referrals for working projects related to vocational education; and supervises the NYS Sex Equity Technical Assistance and Resource Center (Project VOICE/MOVE). VOICE/MOVE provides technical assistance and staff development to LEAs and BOCES; conducts a graduate course in sex equity in education; publishes a quarterly newsletter; and operates the Sex Equity Resource Center.

Requests for technical assistance related to sex equity and the provisions of the Act can be directed to the Sex Equity Coordinator, Office of Occupational and Continuing Education, New York State Education Department, Albany, New York 12234; (518) 474-3901.

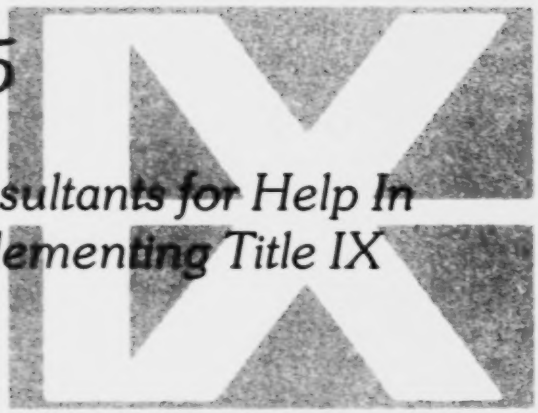
Complaints may be filed with the United States Department of Education, Office for Civil Rights or with the New York State Education Department, Division of Civil Rights and Intercultural Relations, Occupational Education Civil Rights Coordinating Unit, Room 471, Education Building Annex, Albany, New York 12234; (518) 474-0585.

FEDERAL ANTI-DISCRIMINATION LAWS PERTAINING TO SCHOOLS

Law	Area of Discrimination	Covers	Enforced By*
14th Amendment of the U.S. Constitution, 1868	Rights of citizens	Employees and students	Office for Civil Rights
Equal Pay Act, 1963	Sex (in pay)	Employees	Dept. of Labor
Title VI, Civil Rights Act of 1964	Race, color, and national origin	Students	Office for Civil Rights
Title VII, Civil Rights Act of 1964	Race, sex, color, national origin and religion (in employment)	Employees	Equal Employment Opportunity Commission
Executive Order 11246 (as amended by E.O. 11375), 1968	Race, sex, color, national origin and religion	Employees	Office for Civil Rights
Title IX, Education Amendments of 1972	Sex	Employees and students	Office for Civil Rights
Rehabilitation Act, 1973 (Section 504)	Handicapped	Employees and students	Office for Civil Rights
Education for all Handicapped Children Act Public Law 94-142, 1976	Handicapped	Students	Office for Civil Rights
Pregnancy Discrimination Act, 1978	Sex (pregnancy)	Employees	Equal Employment Opportunity Commission
Age Discrimination in Employment Act, amended 1978	Age	Employees	Dept. of Labor and Office for Civil Rights
Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap	Race, color, national origin, sex and handicap	Employees and students	Office for Civil Rights
Carl D. Perkins Vocational Education Act, 1984	Sex (also national origin and handicap)	Students	Office for Civil Rights

*federal government agencies. Office for Civil Rights is located within the Department of Education.

15



Consultants for Help In Implementing Title IX

The agencies and organizations listed below are available to assist educators in Title IX implementation and sex equity efforts.

At the Local Level

Every BOCES has a designated Title IX coordinator who can serve as a local contact to share information and ideas. A directory of local BOCES Title IX coordinators is available from the New York State Education Department.

At the State Level

Within the New York State Education Department, Division of Civil Rights and Intercultural Relations, there are two offices which provide technical assistance and complaint resolution in equity areas. They may be reached by calling the indicated telephone number or writing to:

Division of Civil Rights and Intercultural Relations
New York State Education Department
Room 471, Education Building Annex
Albany, NY 12234

Title IX Compliance Officer
(518) 474-3934

Provides general information and technical assistance on Title IX and related sex equity issues; assists in complaint resolution and makes referrals to other resources. Also provides staff training and technical assistance upon request, on a variety of sex equity issues under Title IV of the Civil Rights Act Sex Desegregation contract. Services include local and regional workshops, statewide conferences and classroom resource materials on various topics including integrating women's history into the curriculum.

Occupational Education Civil Rights Coordinating Unit
(518) 474-0585

Ensures that all students have access to vocational education regardless of their race, color, national origin, sex, or handicap. The Unit conducts a compliance and technical assistance program to identify, prevent, and remedy discrimination as required by federal civil rights laws and regulations.

At the National Level

Office for Civil Rights (Federal Region II)

Regional Civil Rights Director
Office for Civil Rights
U.S. Department of Education
26 Federal Plaza, Room 33-100
New York, NY 10278
(212) 264-4633

Acts as the federal enforcement agency for Title IX, other federal civil rights authorities affecting educational agencies. OCR conducts onsite compliance reviews and responds to complaints.

Region II Sex Desegregation Assistance Center

Rutgers Consortium for
Educational Equity
Kilmer Campus, Building 4090
New Brunswick, New Jersey 08903
(201) 932-2071

Provides technical assistance and training services to public school districts; maintains large resource center.

or

Sex Desegregation Assistance Center
SUNY Buffalo
564 Baldy Hall
Buffalo, NY 14260
(716) 636-2455

Serves as local contact and consultant for the Rutgers Consortium on Educational Equity.

Other Organizations

Information on Title IX and Sex Equity

Project on Equal Education Rights
(PEER)
1413 K Street, N.W. 9th Floor
Washington, D.C. 20005
(202) 332-7387

Resource Center on Educational Equity
Council of Chief State School Officers
400 N. Capitol Street, N.W. #379
Washington, D.C. 20001
(202) 624-7702

Sex Equity in Vocational Education

Federal Education Project
Lawyers' Committee for Civil
Rights Under the Law
733 15th Street, N.W. #526
Washington, D.C. 20005
(202) 628-6700

National Center for Research
in Vocational Education
The Ohio State University
1960 Kenny Road
Columbus, OH 43210
Toll Free (800) 848-4815

The Mid-Atlantic Center for Sex Equity
The NETwork, Inc.
5010 Wisconsin Avenue, N.W.
Suite 310
Washington, DC 20016
(202) 885-8586

Sex Equity in Physical Education and Athletics

Women's Sports Foundation
185 Moulton Street
San Francisco, CA 94123
Toll free (800) 227-3988

American Alliance for Health,
Physical Education, Recreation
and Dance
1900 Association Drive
Reston, VA 22091
(703) 476-3400

Career Information

U.S. Department of Labor
Women's Bureau — Office of the Director
200 Constitution Avenue, N.W.
Washington, D.C. 20210
(202) 523-6653

U.S. Department of Labor
Bureau of Labor Statistics,
Occupational Outlook Section
441 G Street, N.W.
Washington, D.C. 20210
(202) 523-1239

Research and Materials on Women and Girls in Education

National Institute of Education
Information
1200 19th Street, N.W.
Washington, D.C. 20208
(202) 254-5800

Center for Research on Women
Wellesley College
Wellesley, NY 02181
(617) 235-0320

Sources of Sex Fair Materials

Women's Educational Equity Act
Publishing Center
55 Chapel Street
Newton, MA 02160
Toll free (800) 225-3088
(write for free catalog)

The Feminist Press
Box 334
Old Westbury, NY 11568
(516) 997-7660

Women's Action Alliance
370 Lexington Avenue
New York, NY 10017
(212) 532-8330

National Women's Hall of Fame
76 Fall Street
Seneca Falls, NY 13148
(315) 568-2936

The Women's Center
Barnard College
606 West 120th Street
New York, NY 10023

Council on Interracial Books for Children
Racism & Sexism Resource Center
for Educators
1841 Broadway
New York, NY 10023

Educational Equity Concepts, Inc.
114 East 32nd Street
New York, NY 10016
(212) 725-1803

National Women's History Project
P.O. Box 3716
Santa Rosa, CA 95402
(707) 526-5974

Organization for Equal Education
of the Sexes
438 Fourth Street
Brooklyn, New York 11215-2902
(718) 788-3478

16

Recommended Resources on Title IX and Sex Equity

The following resources may be borrowed for a two-week period free of charge from the New York State Sex Equity Resource Center operated by Project VOICE/MOVE at 1015 Watervliet/Shaker Road, Albany, NY 12205; (518) 456-9281.

Title IX

Title IX Coordinators Orientation Packet, developed by Joyce Kaser and David Sadker. The Mid-Atlantic Center for Sex Equity, 1984, 29 pages. Short and to the point; a valuable resource.

Title IX: Evaluating Equity in Education, by Kaye L. Willhite. Willco Publishers, 1985, 75 pages. Systematic self-evaluation in easy-to-use format.

Implementing Title IX and Attaining Sex Equity: A Workshop Package for Elementary-Secondary Educators, edited by Shirley McCune and Martha Matthews. Resource Center on Sex Roles in Education (now called Resource Center on Sex Equity), 1976. Dated, but still helpful, material organized into separate workshops for administrators, educators, and vocational educators.

Title IX Grievance Procedure: An Introductory Manual, by Martha Matthews and Shirley McCune. Resource Center on Sex Equity, 1975, 100 pages.

Complying with Title IX: Implementing Institutional Self-Evaluation, by Martha Matthews and Shirley McCune. Resource Center on Sex Equity, 1975, 141 pages.

Title IX: The Half Full, Half Empty Glass, developed by the National Advisory Council on Women's Educational Programs, 1981, 62 pages. Review of the first nine years under Title IX.

Sex Discrimination in Schools: Evaluating Employment Practices, prepared by Roslyn D. Kane, et al. Women's Educational Equity Act Publishing Resource Center, 1978, 150 pages. Provides background information as well as step-by-step instructions on how to assess sex discrimination in school employment.

Sex Equity Beyond the Classroom Door: Title IX and Extracurricular Activities, by Joyce Kaser. Mid-Atlantic Center for Sex Equity, 1980, 84 pages. Identifies barriers to sex equity in extra curricular activities and plans a specific, schoolwide response for eliminating them.

Sex Equity in Schools

Equal Their Chances: Children's Activities for Non-Sexist Learning, by June Shapiro, Sylvia Kramer, and Catherine Hunerberg. Spectrum Books/Prentice-Hall, Inc., 1981, 164 pages. Activities and readings are organized by subject area.

Sex Equity Handbook for Schools, By Myra Pollack Sadker and David Miller Sadker. Longman Press, 1982, 331 pages. Practical guide for detecting and combating sex role stereotyping; includes detailed lesson plans.

Handbook for Achieving Sex Equity Through Education, edited by Susan S. Klein. The Johns Hopkins University Press, 1985. Serious treatment of various aspects of this topic.

Pioneering Programs in Sex Equity: A Teachers' Guide, by Amanda J. Smith and Charlotte J. Farris. American Vocational Association, 1980. Ideas can be adapted for many ages and situations.

Reducing Adolescent Prejudice, by N. Gabelko and J. Michaelis. Columbia University Press, 1981, 230 pages. Classroom activities for consciousness-raising and overcoming prejudice; companion volume contains 49 duplicating masters for activity sheets.

Math, Science, and Computer Equity

Mathematics, The Invisible Filter: A Report on Math Avoidance, Math Anxiety, and Career Choices, developed by the Toronto Board of Education Math Department, $10. Packet for teachers and parents emphasizing the importance of math preparation.

Overcoming Math Anxiety, by Shelia Tobias. Houghton-Mifflin Company, 1978, 285 pages. Analyzes the phenomenon of math anxiety, its causes, effects, and possible cures.

The I Hate Mathematics Book, by Marilyn Burns. Little, Brown, and Company, 1975, 127 pages. Especially suited to the elementary grades, this book contains projects to teach students a new way to look at the world through mathematics.

How to Encourage Girls in Math and Science: Strategies for Parents and Educators, by Joan Skolnick, et al. Prentice-Hall, Inc., 1982, 192 pages.

Sex Stereotyping in Math Doesn't Add Up, prepared by Patricia Campbell, Georgia State University. WEEA Publishing Center, 30-minute audiotape cassette. Emphasizes the waste of talent when women avoid math.

Multiplying Options and Subtracting Bias, designed by Elizabeth Fennema. A 192-page guide comes with the four videotapes, one each for teachers, students, counselors, and parents.

SPACES (Solving Problems of Access to Careers in Engineering and Science), edited by Sherry Fraser. WEEA Publishing Center, 1982, 141 pages. The activities are designed to help students to learn about science careers and women's role in science, as well as develop problem-solving skills and positive attitudes toward math.

Spatial Encounters: Exercises in Spatial Awareness, prepared by the Behaviorial Research Division, University of New Mexico. WEEA Publishing Center, 1982, 337 pages. Series of activities on spatial relationships which can be completed with or without supervision by an instructor. Appropriate for all ages; can be easily adapted for classroom use.

Science, Sex and Society, prepared by Dr. Ann E. Kammer, Kansas State University. WEEA Publishing Center, 570 pages. Explores opportunities for women in science.

Women and Minorities in Science: Strategies for Increasing Participation, edited by Shelia M. Humphreys. Westover Press, 1982, 218 pages. Surveys current levels of participation, identifies barriers, and describes intervention programs.

The Neuter Computer: Computers for Girls and Boys, by Jo Sanders and Antonia Stone. Neal-Schuman Publishers, 1986. Contains 56 computer activities, 96 computer equity strategies, program planning and evaluation guides, and extensive resources in computer equity and computer education.

APPENDIX A
Notification of Vocational Education Opportunities

March 1986

TO: District Superintendents of Schools
Superintendents of Public Schools
Directors of Occupational Education

FROM: Joan Arnold, Assistant Commissioner for Nonpublic Schools, Civil Rights and Intercultural Relations

James Kadamus, Assistant Commissioner for Occupational and Continuing Education

SUBJECT: Notification of Vocational Education Opportunities

The Carl D. Perkins Vocational Education Act emphasizes the need for students with special needs, including those who are handicapped and disadvantaged, to have the opportunity to participate fully in quality vocational education programs. In giving priority to access of special needs students, the legislation requires that they and their parents be provided with timely information about program availability.

Chief executive officers, in applying for Vocational Education Act (VEA) funds in New York State, must sign the Fund Information Form giving assurance that:

> "In the use of funds available for handicapped and disadvantaged individuals, information will be provided to handicapped and disadvantaged students and parents of such students concerning the opportunities available in occupational education no later than the beginning of the 9th grade, together with the requirements for eligibility for enrollment in such occupational education programs."

Standards Governing Civil Rights in Vocational Education Programs, promulgated under the Federal civil rights laws, have additional notification requirements concerning the announcement of vocational education programs offered without discrimination. The *Standards* direct that notification be made to a broader audience than the Carl D. Perkins Act requires. Compliance with this directive would provide all students and their parents with access to information which will enable them to make informed choices regarding vocational education. To assist agencies in meeting the requirements for notification, the attached guidelines provide information about how both sets of requirements might be met, sample notification formats and strategies for implementation.

Attachment

Notification of Vocational Education Opportunities

Notification of vocational education opportunities is crucial if students, especially those with special needs such as the handicapped and disadvantaged, are to receive timely information which will help them to make informed choices and fully participate in programs which can provide them with marketable skills. In recognition of this, both the Carl D. Perkins Vocational Education Act and the *Standards Governing Civil Rights in Vocational Education Programs** contain specific notification requirements. It is the purpose of these guidelines to inform agencies about both sets of notification requirements and how they might be met simultaneously. In addition, it is the intent of the guidelines to suggest ways of building on systems already in place that would readily lend themselves to meeting these notification requirements.

Notification Requirements of the *Standards Governing Civil Rights in Vocational Education Programs*

Section 3.2(b)(1)(2) and (3) of the *Standards* states that:

1) Prior to the beginning of each school year or academic semester, a recipient shall issue an appropriate public announcement which advises students, parents, employees, and the general public that vocational education opportunities will be offered without regard to sex, race, color, national origin or handicap.
2) A recipient shall include in the public announcement the name, address, and telephone number of the person designated to coordinate Title IX and Section 504 compliance activities.
3) A recipient whose service area contains a community of persons with limited English proficiency shall distribute its public notification announcements, promotional literature and information on financial assistance, to that community in its native language.

How can agencies comply with the requirements of the *Standards*?

In order to meet the requirements of the *Standards*, agencies must, as noted above, include this notification in each announcement, bulletin, catalogue or application form that they make available. Agencies must also ensure that the notification is made public. This might be done by issuing the notice in a public newspaper, or, if the agency has a newsletter that is sent to all members of the public, by issuing it in the agency newsletter.

Notification Requirements of the Carl D. Perkins Vocational Education Act

Section 204(b) of the Carl D. Perkins Act, as amended, reads:

> Each local educational agency that receives funds allotted in accordance with Section 203(a) for vocational education services and activities for handicapped individuals and disadvantaged individuals shall use those funds to provide information to handicapped and disadvantaged students and parents of such students concerning the opportunities available in vocational education at least one year before the students enter the grade level in which vocational education programs are first generally available in the State, but in no event later than the beginning of the ninth grade, together with the requirements for eligibility for enrollment in such vocational education programs.

How can agencies comply with the requirements of the Carl D. Perkins Act?

Agencies can comply with the requirements by taking the steps outlined below.

1) Develop a notification of vocational education opportunities which can consist of a written summary of the vocational education offerings and indicates the eligibility requirements for these programs, e.g. residence in the district.* This notification could be published in a local newspaper, the district newsletter, student and faculty handbooks — and it could also be distributed by guidance counselors during counseling sessions, as well as be used in a flyer that is distributed in classrooms and sent home to parents.
2) Issue the notification on an annual basis, perhaps in the late winter or spring when students generally make course selections for the subsequent academic year. Since most vocational education courses that students choose (as opposed to mandatory exploratory vocational programs such as middle school/junior high school Home and Career Skills) begin in the ninth or tenth grade, the notification should probably be targeted to seventh or eighth graders or students who have reached age 14, and their parents.

---

*A document compiled by the New York State Education Department to assist vocational educators and administrators in understanding their responsibilities under the Federal Civil Rights authorities which prohibit discrimination on the basis of race, color, national origin, sex and handicap.

*N.B. Eligibility requirements are, for the purposes of these guidelines, distinguished from selection criteria, e.g. successful completion of Keyboarding might be a selection criterion for enrollment in Advanced Keyboarding.

Consolidated Notification**

Since there is overlap between the notification requirements of the *Standards* and the Carl D. Perkins Vocational Education Act, agencies may wish to develop and disseminate one notification which meets the requirements of both the *Standards* and the Carl D. Perkins Act. In order to simultaneously meet the requirements of the *Standards* and the Carl D. Perkins Act, a consolidated notice must:

1. Include at least the following information:
   - Occupational education programs and support services available at the local agency and the BOCES for all students as well as special programs for handicapped and disadvantaged students,
   - Description of Introduction to Occupations and its purpose,
   - Requirements for admission to occupational programs,
   - Procedures for enrolling in occupational programs,
   - Name and telephone number of person to contact for additional information on occupational education programs,
   - That vocational education opportunities will be offered without regard to sex, race, color, national origin or handicap,
   - The name, address and telephone number of the Title IX and Section 504 coordinator(s);
2. Be issued to the public, i.e. to all students, parents, employees and the general public, in addition to being issued specifically to handicapped and disadvantaged students and their parents. This could be accomplished by publishing the notice in a local newspaper and/or the district newsletter (provided the district newsletter is truly issued to the public);
3. Be included in each announcement, bulletin, catalogue or application form made available;
4. Be issued annually, before the beginning of each school year or academic semester;
5. Be targeted directly to handicapped and disadvantaged students and their parents at least one year before the students would be involved in vocational education programs;
6. Be distributed to communities of persons with limited-English proficiency in their native language.

Strategies For Implementation

An agency is not limited to the following strategies, but one or a combination could be used to achieve the broadest dissemination of the notification.

- Reinforce the notification through the career planning module of the Home and Career Skills curriculum and through questionnaires/information worksheets directed to parents.
- Notify parents of handicapped students through the Committee on the Handicapped.
- Notify parents of disadvantaged students about the availability of occupational education programs in conjunction with the agency's intent to place the student in remediation.
- Gain support and assistance in building awareness of occupational education programs through staff development activities for teachers, guidance counselors and administrators.
- Arrange on-site visits for students and parents.
- Identify and notify local service agencies and community based organizations which provide support services to disadvantaged and handicapped students and their families about the availability of occupational education programs.

Two Sample Consolidated Notification Formats

(1) Sample One

The Anywhere School District hereby advises students, parents, employees and the general public that it offers employment and educational opportunities, including vocational education opportunities, without regard to sex, race, color, national origin or handicap.

Inquiries regarding this nondiscrimination policy may be directed to:

1. Title IX Coordinator (sex discrimination)
   Dr. Jane Smith, Superintendent
   Anywhere School District
   Main Street
   Anywhere, New York
   Telephone: (117) 657-3592

AND/OR

**See the sample consolidated notifications at the end of this Attachment.

2. Section 504 Coordinator (handicap discrimination)

Dr. John Doe
Assistant Superintendent
Anywhere School District
Main Street
Anywhere, New York
Telephone: (117) 657-3591

The secondary vocational education opportunities available to district residents under age 21 are listed below:

District Vocational Education Programs

1. Business Education — includes:
   - ♦Business Dynamics
   - ♦Business Arithmetic
   - ♦Business Law
   - ♦Accounting I
   - ♦Business Computers (1/2 unit)
   - ♦Keyboarding/Communications
   - ♦Business Analysis (1/2 unit)
2. Home Economics — includes:
   - ♦Food & Nutrition Core
   - ♦Beginner Chef
   - ♦Advanced Foods
   - ♦Human Development Core
   - ♦Child Care
   - ♦Family Care
3. Industrial Arts/Technology Education — includes:
   - ♦Introduction to Occupations
   - ♦Electricity
   - ♦Energy Systems
   - ♦Production Systems
   - ♦Transportation Systems
   - ♦Technical Drawing

BOCES Vocational Education Programs

Auto Body Repairer
Building Construction-Carpentry
Child Care/Health Services
Commercial Foods
Cosmetology
Electronics Technician
Graphic Design
Heavy Equipment Specialist
Licensed Practical Nursing
Marketing
Masonry
Metal Fabrication
Office Practice
Residential Electrician
Trade Drafting
Welding Operator

NOTE: Introduction to Occupations

All students earning a sequence in Occupational Education must take one unit in Introduction to Occupations. This unit is composed of four quarter unit modules. Two of these modules, Personal Resource Management and Working Citizen, are required for all students. The other two are chosen by the student from any of the occupational areas. The purpose of the Introduction to Occupations modules is to provide the student with transferable skills while allowing the exploration of several occupational areas.

(2) Sample Two

Title IX of the Education Amendments of 1972

The Anywhere School District does not discriminate on the basis of race, color, or national origin in the employment and educational opportunities it offers, including vocational educational opportunities.

Also, as required by Title IX of the Education Amendments of 1972, the Anywhere School District, Anywhere, New York does not discriminate on the basis of sex in the educational programs or activities which it provides (including vocational programs), appointment of employees, employment pay and benefits, counseling services for students, access by students to educational programs, course offerings, textbooks, and student activities.

The District official responsibile for the coordination of activities relating to nondiscrimination on the basis of sex is Ms. Jane Smith, Title IX Coordinator. She will provide information, including information on complaint procedures, to any student or employee who feels that her or his rights under Title IX may have been violated by the District or its officials. Her office is in the Phipps Administration Building on Main Street, Anywhere, New York. Her telephone number is (117) 657-3592. In addition, any student or employee may make an inquiry or a complaint directly to the Federal Office for Civil Rights.

Section 504 of the Rehabilitation Act of 1973

The Anywhere School District, Anywhere, New York, hereby gives notice that it does not discriminate on the basis of handicap in violation of Section 504 of the Rehabilitation Act of 1973. The District further gives notice that it does not discriminate on the basis of handicap in admission or access to its programs and activities, including vocational education programs. No person shall be denied employment solely because of any physical, mental or medical impairment which is unrelated to the person's ability to engage in the activities involved in the job for which application has been made.

Inquiries concerning this policy may be referred to Mr. Thomas Jones, Section 504 Coordinator, Main Street, Anywhere, New York. His telephone number is (117) 657-3593.

The secondary vocational education opportunities available to District residents under age 21 are listed below.

District Vocational Education Programs

1. Business Education — includes:
   - Business Arithmetic
   - Business Law
   - Accounting I
   - Advanced Accounting
   - Keyboarding
   - Advanced Keyboarding
   - Business Communications
   - Office Procedures and Information Processing
2. Home Economics — includes:
   - Food & Nutrition Core
   - Beginner Chef
   - Advanced Foods
   - Human Development Core
   - Child Care
   - Family Care
3. Industrial Arts/Technology Education — includes:
   - Introduction to Occupations
   - Electricity
   - Energy Systems
   - Production Systems
   - Transportation Systems
   - Technical Drawing

BOCES Vocational Education Programs

Auto Body
Auto Mechanics
Building Construction
Building Maintenance
Child Care/Health Services
Commercial Foods
Conservation
Cosmetology
Electronics
Industrial Machining
Licensed Practical Nursing
Marketing
Masonry
Office Practice
Trade Drafting
Trade Electricity
Welding

MORE HELP

Further information on meeting the notification requirements of the Carl D. Perkins Act and/or the Standards, and on educational equity issues in general, may be obtained by contacting the:

Occupational Education Civil Rights Coordinating Unit
New York State Education Department
Room 471 EBA
Albany, New York 12234
(518) 474-0585

or

Bureau of Occupational Education Policy Development
New York State Education Department
One Commerce Plaza
Albany, New York 12234
(518) 473-7408

APPENDIX B
Self-Evaluation on Title IX Compliance

	YES	NO
Procedural steps		
(1) Does the district have a printed grievance procedure for Title IX complaints that can be used by parents, students, and staff members?	___	___
(2) Has a public statement been issued, in a newspaper that is sent to all district residents and in all school communications, regarding compliance with Title IX (and other anti-discrimination laws)?	___	___
(3) Has a self-evaluation and remediation plan been completed?	___	___
(4) Has the Federal Compliance Assurance Form 639A been completed and filed with the U.S. Office of Education?	___	___
(5) Are staff, students, and community members notified of the Title IX coordinator's name, office address, telephone number, and responsibilities on at least a yearly basis?		
Access to courses		
(6) Are all courses available to both male and female students?	___	___
(7) Have testing instruments and criteria used for student referral and placement been reviewed to ensure that they are identical for males and females and do not discriminate?	___	___
(8) Have descriptive materials for courses been reviewed to ensure that content, language, and illustrations are sex fair?	___	___
(9) Are any classes disproportionately male or female in enrollment (70% of one sex or above)?	___	___
(10) Have graduation requirements been reviewed to ensure that they are identical for males and females?	___	___
(11) Have all district curriculum policies or guidelines been reviewed to ensure that content, language, and illustrations are sex fair?	___	___
(12) Are course titles and descriptions gender-free?	___	___
(13) Are males or females limited by number for entrance into any course or program of study?	___	___
Financial Assistance		
(14) Have all organizations or individuals providing funds for student financial assistance been notified to ensure compliance with Title IX?	___	___
(15) Does the district refuse to cooperate with any financial assistance or scholarship program that does not comply with Title IX requirements?	___	___
(16) Has the district reviewed all monetary prizes and awards given, including those that are part of graduation, to ensure that gender is not an eligibility criterion for receipt?	___	___
Treatment of students		
(17) Has notification gone out to all organizations or individuals providing services, benefits, or aid to students of the district's obligation to comply with Title IX?	___	___
(18) Have student health services and insurance policies been reviewed to ensure compliance with Title IX?	___	___

	YES	NO
(19) Have all policies or agreements pertaining to employment of students by the school, outside organizations, or individuals been reviewed to assure equal treatment of males and females?	___	___
(20) Have programs and procedures relating to student honors and awards been reviewed to ensure compliance with Title IX?	___	___
(21) Is participation in extracurricular activities open equally to males and females?	___	___
(22) Are participants in extracurricular activities treated equally?	___	___
(23) Have policies and descriptive materials relating to special student services been reviewed to assure that they are equitable in eligibility criteria?	___	___
(24) Has the policy regulating the use of all school facilities been evaluated to ensure equitable access and use?	___	___
(25) Are facilities available according to the same criteria, under the same conditions, and during comparable time intervals?	___	___
(26) Are toilets, locker rooms, and shower facilities comparable in number and condition for males and females?	___	___
(27) Are policies and regulations regarding student behavior and dress identical for males and females?	___	___
(28) Are criteria for enforcement of these regulations identical for males and females?	___	___
Physical Education		
(29) Have physical education requirements been reviewed to ensure that they are identical for males and females?	___	___
(30) Have nondiscriminatory standards been designed to assess individual progress in physical education courses?	___	___
(31) Are health classes conducted on a co-educational basis, with students separated only for portions of these classes dealing with human sexuality?	___	___
(32) Do course descriptions make it clear that they are open to both females and males based on interest and ability?	___	___
(33) Is grouping done only on an activity by activity basis with safety (not gender) as the criterion for grouping?	___	___
(34) Have procedures and/or criteria used in assigning students to physical education classes been designed to ensure compliance with Title IX?	___	___
Athletics		
(35) Have athletic policies been reviewed to ensure equal access to team selection and/or composition in interscholastic, intramural, or club athletics?	___	___
(36) Has a recent survey of athletic interests and abilities of each gender been taken and assessed?	___	___
(37) Are the interests and abilities of each gender, as surveyed, accommodated in the school athletic programs?	___	___
(38) When team selection is based on interest rather than abilities, are teams in non-contact sports open to both sexes?	___	___
(39) Are athletic benefits equal for males and females in:		
levels of competition?	___	___
equipment, supplies, and uniforms?	___	___
travel?	___	___
per diem allowances?	___	___

	YES	NO
coaching?	___	___
access to lockers, practices, and facilities?	___	___
efforts to provide publicity?	___	___
support services (cheerleaders, pep band, rallies)?	___	___
(40) Do male and female teams have seasons of comparable length, number of opportunities to compete, and compete before audiences?	___	___
(41) Do males and females receive equal recognition for athletic excellence (athletic letters and news releases)?	___	___
(42) Have descriptive materials pertaining to school athletic programs been reviewed to comply with Title IX?	___	___
(43) Have athletic programs and expenditures in the budget been reviewed to determine whether they provide equal opportunity?	___	___
(44) Has the school athletic administrative structure been reviewed to determine if there is equal employment opportunity?	___	___
(45) Have athletic staffing patterns and compensation been reviewed to ensure compliance with Title IX?	___	___
(46) Have rules and by-laws of interscholastic athletic associations or leagues been reviewed to ensure compliance with Title IX?	___	___

Vocational Education

(47) Are all admissions granted:		
without preference based on gender?	___	___
without ranking applicants on the basis of gender?	___	___
without applying quotas on the number of either gender?	___	___
without applying different admissions criteria on the basis of gender?	___	___
(48) Are course titles and descriptions gender-free?	___	___
(49) Do all admission forms avoid inquiries about marital or parental status?	___	___
(50) Have tests or criteria been reviewed to see if they have a disproportionately adverse effect upon persons of one sex?	___	___
(51) Are scoring norms the same for male and female students?	___	___
(52) Are recruitment efforts equally directed to male and female students?	___	___
(53) Have all recruitment materials been reviewed to eliminate bias and to ensure compliance with Title IX?	___	___
(54) In vocational education classes previously limited to members of one gender, have steps been taken to encourage application by members of the previously excluded gender?	___	___
(55) Are all criteria for assigning students to courses and programs free from differentiation on the basis of gender?	___	___
(56) Are classes conducted on a co-educational basis?	___	___
(57) Are programs and curriculum guidelines clear about providing equal opportunities for males and females under the same conditions?	___	___
(58) Are graduation requirements the same for males and females?	___	___
(59) Has the curriculum been reviewed for equitable contents, activities, instructional methods, and requirements for males and females?	___	___

	YES	NO
Counseling		
(60) Have all testing and counseling services been reviewed to ensure compliance with Title IX?	___	___
(61) Is it clear in all descriptive materials that all services are available to all students, regardless of gender?	___	___
(62) Do manuals, guidelines, and similar publications state the responsibility of personnel to counsel on a sex-fair basis?	___	___
(63) Have the publications been reviewed to eliminate sexist language and stereotyped illustrations and examples?	___	___
(64) Have all counseling and testing materials and instruments been reviewed to ensure compliance with Title IX?	___	___
(65) Do the text, language, and photographs in counseling materials avoid stereotypes that imply that choices are more appropriate for one sex than for the other?	___	___
(66) Have all course enrollments been reviewed by gender to determine if enrollment in those courses containing 70% or more of one gender is the result of counseling practices?	___	___
(67) Are course assignments made without regard to gender?	___	___
(68) Do counselors refrain from discouraging and/or prohibiting, or encouraging and/or requiring enrollment in courses on the basis of gender?	___	___
(69) Have criteria been developed and disseminated for the selection and purchase of tests, appraisal instruments, and counseling materials?	___	___
(70) Have directions been issued and training provided regarding the nondiscriminatory use of tests or instruments presently used in the district?	___	___
(71) Do counselors make academic, career, and personal recommendations on the basis of individual abilities, interests, and values rather than on sex-appropriate criteria?	___	___
Student marital/parental status		
(72) Have policies been reviewed relating to participation by married or pregnant students in instructional programs to ensure compliance with Title IX?	___	___
(73) Do pregnant students have access to all ongoing instructional programs?	___	___
(74) Is participation in any special programs or courses for pregnant students voluntary?	___	___
(75) Are special programs for pregnant students academically comparable to programs for nonpregnant students?	___	___
(76) Have policies been reviewed relating to participation of married or pregnant students in extracurricular programs to ensure compliance with Title IX?	___	___
(77) Is transportation provided by the school to any alternative program available to pregnant students?	___	___
(78) Have policies relating to student services been reviewed to ensure compliance with Title IX?	___	___
(79) Have administrators and staff been notified or provided with inservice education on the implications of Title IX requirements regarding marital and parental status of students?	___	___
(80) Are pregnant students informed of the alternatives available to them for their continuing participation in school programs?	___	___

	YES	NO
(81) Are all rules related to student marital status applied equally to male and female students?	___	___
(82) Are criteria for student honors and awards free from any conditions of marital or parental status for both males and females?	___	___

Employment

(83) Are all decisions regarding recruitment and selection of employees made without regard to gender?	___	___
(84) Are all agency-sponsored activities, including social and recreational programs, open to employees of both sexes?	___	___
(85) Are all fringe benefits available equally to both sexes (e.g. medical, hospital, accident, or life insurance; retirement or profit-sharing policies or plans)?	___	___
(86) Are fringe benefits available to spouses, families, or dependents the same for male and female employees?	___	___
(87) Do pension or retirement plans operated by the district establish the same optional and compulsory retirement ages for males and females?	___	___
(88) Have all tests, criteria, or techniques for employee selection or placement been reviewed to identify any which have adverse impact on the basis of sex?	___	___
(89) Do pre-employment inquiries avoid any reference to the potential or actual marital, parental, or family status of an applicant?	___	___
(90) Are nepotism policies written and applied with equal impact upon members of both sexes?	___	___
(91) Are salaries for the same or comparable jobs and responsibilities the same for men and women?	___	___
(92) Are policies and opportunities designed to prepare employees for advancement equally available to males and females *unless* they are designed to eliminate underrepresentation of members of one sex?	___	___
(93) Are all leaves (e.g. child care, medical, sabbatical, emergency, administrative, and educational) equally available to men and women?	___	___
(94) Are pregnancy and related conditions treated as any other temporary disability for purposes of leave, seniority, and other employment benefits?	___	___

Each "no" answer indicates an area that should be reviewed, discussed, and modified. See resource listing for assistance.

APPENDIX C

Sample Notification of Title IX Grievance Procedures

(1) A Short Version

It is policy of (name of school) not to discriminate on the basis of sex in its educational programs, activities, or employment as required by Title IX of the 1972 Education Amendments.

If you believe that you have been discriminated against on the basis of sex, you may make a claim that your rights have been denied. This claim or grievance may be filed with (name and title of designated employees).

You may also file a complaint of illegal discrimination with the federal Office for Civil Rights, United States Department of Education, Washington, D.C., at the same time you file the district grievance, during or after the use of the district grievance process, or without using the district grievance process at all.

If you wish to discuss your rights under Title IX, to obtain a copy of the full Title IX grievance procedure, or to obtain help in filing a grievance, contact the Title IX coordinator or your designated Title IX grievance representative (list names, office addresses, and telephone numbers of all representatives).

(2) A Long Version*

It is the policy of (name of school/institution) not to discriminate on the basis of sex in its educational programs, activities, or employment as required by Title IX of the 1972 Education Amendments. As a student or employee of (name of school/institution), you are protected from sex discrimination in the following areas:

If you are a student, you may not be discriminated against on the basis of sex in:

- Admission to most schools
- Access to enrollment in courses
- Access to and use of school facilities
- Counseling and guidance materials, tests, and practices
- Vocational education
- Physical education
- Competitive athletics
- Graduation requirements
- Student rules, regulations, and benefits
- Treatment as a married and/or pregnant student
- Housing
- Financial assistance
- Health services
- School-sponsored extracurricular activities
- Most other aid, benefits, or services

If you are an employee, you may not be discriminated against on the basis of sex in:

- Access to employment, including:
  - recruitment policies and practices
  - advertising
  - application procedures
  - testing and interviewing practices
- Hiring and promotion, including:
  - selection practices
  - application of nepotism policies
  - demotion, lay off, termination
  - tenure
- Compensation, including:
  - wages and salaries
  - extra compensations

*Reprinted from materials prepared by the Resource Center for Educational Equity.

- Job assignments, including:
  - classification and position descriptions
  - lines of progression
  - seniority lists
  - assignment and placement
- Leaves of absence, including:
  - leaves for temporary disability
  - childbearing leave and related medical conditions
  - childrearing leave
- Fringe benefits, including:
  - insurance plans
  - retirement plans
  - vacation time
  - travel opportunities
  - selection and support for training
  - employer-sponsored programs
- Labor organization contracts or professional agreements

If you believe that you have been discriminated against on the basis of sex, you may make a claim that your rights have been denied. This claim or grievance may be filed with (name of Title IX coordinator or designated employees).

You will be asked to write down the actions, policies, or practices which you believe are discriminatory. You may obtain help from the Title IX coordinator (name, office address, and phone number), or anyone you believe is knowledgeable. Once you have filed your grievance, you will be asked to meet with those persons who would be involved in correcting the policies, practices, or programs that you believe are discriminatory. If there is agreement that you were discriminated against, corrective action will be taken to restore your rights. If there is not agreement, you may appeal the grievance to a person with higher authority.

You may also file a complaint of illegal discrimination with the federal Office for Civil Rights, United States Department of Education, 26 Federal Plaza, Room 39-100, New York, New York 10278; (212) 264-4633. At the same time you may file the federal grievance, during or after use of the district grievance process, or without using the district grievance process. If you file your Title IX complaint with the Office for Civil Rights, you must file it in writing no later than 180 days after the occurrence of the alleged discrimination.

In preparing your grievance you should give thought to the following:

- The exact nature of the grievance — how you believe you may have been discriminated against, and any person(s) you believe may be responsible
- The date, time and place of the grievance
- The names of witnesses or persons who have knowledge about the grievance
- Any available written documentation or evidence that is relevant to the grievance
- The actions that could be taken to correct the grievance

If you wish to discuss your rights under Title IX, to obtain a copy of the full Title IX grievance procedure, or to obtain help in filing a grievance, contact the Title IX coordinator or your designated Title IX grievance representative (list names, office addresses, and phone numbers of all representatives).